

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Johnathan Guest,)	
a/k/a Johnathan or Jonathan Guess,)	
)	C/A No. 8:10-2866-TLW
Plaintiff,)	
)	
vs.)	ORDER
)	
Gerald McElvougue, Captain,)	
)	
Defendant.)	
_____)	

Plaintiff appears to be a pretrial detainee at the Berkeley County Detention Center who, proceeding *pro se*, filed a Complaint concerning prison conditions pursuant to 42 U.S.C. § 1983. By Order dated December 1, 2010, Plaintiff was given an opportunity to provide the necessary paperwork (signed and dated signature page of his Complaint) to bring the case into proper form for evaluation and possible service of process. Plaintiff was warned that failure to provide the necessary information within the timetable set forth in the Order would subject the case to dismissal. Plaintiff did not respond to the December 1, 2010, Order. Out of an abundance of caution, the magistrate judge entered a second Order on February 8, 2011, which gave Plaintiff additional time to bring the case into proper form, and the Clerk of Court was directed to mail the second proper form Order to “Johnathan Guest or Johnathan Guess.” The Clerk of Court did so. In the February 8, 2011, Order, Plaintiff was again warned that failure to provide the necessary information within the timetable set forth in the Order would subject the case to dismissal. Plaintiff did not respond to the February 8, 2011, Order, and the time for response has lapsed.

Plaintiff has failed to prosecute this case and has failed to comply with Orders of this Court. The case is **dismissed *without prejudice*** pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See Link v. Wabash Railroad Company*, 370 U.S. 626 (1962).

IT IS SO ORDERED.

s/ Terry L. Wooten
Terry L. Wooten
United States District Judge

March 28, 2011
Florence, South Carolina

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified of the right to appeal this Order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.